The opinion in support of the decision being entered today was <u>not</u> written for publication and is <u>not</u> binding precedent of the Board.

## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte MICHAEL LANQUETIN, JACQUES PARIS, and JEAN-LOUIS THOMAS MAILED

AUG 1 8 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Appeal No. 2005-2717 Application No. 09/646,763

ON BRIEF

Before FLEMING, <u>Chief Administrative Patent Judge</u>, HARKCOM, <u>Vice Chief Administrative Patent Judge</u>, and MILLS, <u>Administrative Patent Judge</u>.

## Per curiam.

On June 13, 2003, appellants filed a Notice of Appeal. On July 23, 2006, appellants filed a communication withdrawing the appeal "in favor of the RCE application filed herewith."

Accordingly, it is

ORDERED that the appeal filed June 13, 2003 is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

Michael R. Fleming, Chief

Administrative Patent Judge

Jany Jankson

BOARD OF PATENT

Gary V. Harkcom, Vice Chief

)

Administrative Patent Judge ) APPEALS AND

) INTERFERENCES

Demetra J. Mills )

Administrative Patent Judge

Hedman and Costigan 1185 Avenue of the Americas New York, NY 10036

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